

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

VISUAL COMMUNICATIONS, INC.	:	
	:	
Plaintiff,	:	CIVIL ACTION
v.	:	
	:	
ASSUREX HEALTH, INC.,	:	NO. 14-3854
	:	
Defendants.	:	
	:	

ORDER

AND NOW, this 2nd day of *February*, 2015, upon consideration of Defendant AssureRx Health, Inc.¹ (“Defendant”)’s Motion to Dismiss the Second Amended Complaint and Request for Attorney’s Fees (Docket No. 20), Plaintiff Visual Communications, Inc. (“Plaintiff”)’s Response in Opposition (Docket No. 21), Defendant’s Reply Brief (Docket No. 22), and Plaintiff’s Sur-Reply Brief (Docket No. 23), it is hereby **ORDERED** that:

1. Defendant’s Motion to Dismiss Plaintiff’s Second Amended Complaint is **DENIED**;
2. Defendant’s Request for Attorney’s Fees is **DENIED**;
3. Defendant’s Request to strike Plaintiff’s request for statutory damages and attorney’s fees in the “Wherefore” Clause of the Second Amended Complaint is **GRANTED**; and
4. Defendant has twenty (20) days from the date of this Order in which to file an Answer to Plaintiff’s Second Amended Complaint.

It is so **ORDERED**.

BY THE COURT:

s/ **Ronald L. Buckwalter**
RONALD L. BUCKWALTER, S.J.

¹ Plaintiff incorrectly captioned Defendant in the Complaint as “Assurex Health, Inc.”